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REMARKS

Claims 1-20 are pending in the application. In the Office Action made Final at hand, those claims are rejected.

Claims 1, 4-8, 10, 11, 14-18 and 20 have been amended to provide antecedent basis and/or more definite terminology to address the rejections under 35 U.S.C. § 112. No new matter is introduced.

Claims 1-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Ichikawa (U.S. 5,266,930). In response to the Section 102(b) rejection, the Applicants respectfully submit that Claims 1-20, as amended, are not anticipated by Ichikawa. Reconsideration is respectfully requested.

Claim 1, as amended, recites a display assembly mounted inside the headgear to the lower headgear portion to be located below at least one of the user's eyes so as not to obstruct the user's vision. The display assembly can have a viewing display with direct viewing optics facing the user and positioned inward from the lower headgear portion for displaying information. The information can be visible when at least one of the user's eyes looks downwardly at the viewing display. The display assembly can be configured to be adjustable by the user while the headgear system is worn by the user for changing orientation of the viewing display and the direct view optics. Claim 11, as amended, is a method claim that generally parallels Claim 1, as amended.

Claim 9, as amended, recites a display assembly having a rotatable horizontal axis for allowing the display to be tilted upwardly and downwardly, and a rotatable vertical axis for allowing the display to rotate about the vertical axis. Claim 19, as amended, is a method claim that generally parallels Claim 9, as amended.

In addition to the amendments made to overcome the Section 112 rejections, Claim 1 is amended to recite "a display assembly mounted inside the headgear to the lower headgear portion", "the display assembly having a viewing display with direct viewing optics facing the user and positioned inward from the lower headgear portion for displaying information", and "the display assembly being configured to be adjustable by the user while the headgear system is worn by the user for changing the orientation of the viewing display and the direct viewing optics". Claim 11 is amended in a similar manner. Furthermore, Claims 9 and 19 are amended to recite "a rotatable vertical axis for allowing the display to rotate about the vertical axis".

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Support for these amendments is found at least in FIGs. 1-5 as well as on page 5, lines 2-9, page 6, lines 2-5 and 15-20 and page 7, line 6 through page 8, line 3 of the Specification as originally filed. No new matter is introduced.

In the present invention, the viewing display can have direct viewing optics facing the user and positioned inward from the lower headgear portion for viewing information and images inside the headgear. As a result, the display assembly can be compact in size and the information and images do not have to be projected onto a separate wind screen that must be lowered into position for viewing.

In addition, the display assembly with the direct viewing optics can be adjustable for changing the orientation of the viewing display inside the headgear to compensate for different sized users. For example, referring to the embodiment depicted in FIGs. 1-5, tilting the display 20 up and down relative to the user's 32 head about the horizontal axis H can adjust for the vertical position of the eyes 34 or 36. Rotating the display 20 about vertical axis V can adjust for the horizontal or lateral position of a particular eye. These adjustments can change the position of the display 20 and the direct viewing optics about two axes of rotation to position the display and the direct viewing optics into an orientation suitable for viewing for a particular location of the eye 34 or 36.

In contrast, Ichikawa discloses in FIG. 1 a helmet 5 having a wind shield 6. A display unit 11 is positioned in the lower portion of the helmet 5 for projecting images onto the wind shield 6 of the helmet 5 for viewing. The windshield 6 forms the viewing display and is positioned outward relative to the lower portion of helmet 5 and must be lowered into position for viewing. In Ichikawa, the user does not view images by looking at direct viewing optics on the display unit 11 inside the helmet 5. Instead, the user has to look at the wind shield 6 which is positioned outward relative to the lower headgear portion, and where the images are projected. The display unit 11 has projection optics, not direct viewing optics. As a result, a user looking directly at the display unit 11 instead of the windshield 6 would likely see an image upside down and backwards.

The display unit 11 in Ichikawa is mounted to a unit holding member 15 by a horizontal support shaft 18 (FIGs. 2 and 3), which in turn is mounted to the helmet 5 by a horizontal pin 16 that is oriented 90° relative to the support shaft 18. The horizontal support shaft 18 allows the display unit 11 to tilt forward and backward about a first horizontal axis and the horizontal pin 16 allows the display unit 11 to tilt side to side about a second horizontal axis. The display unit 11

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can be locked in place by tightening a curved adjusting disk 20 with respect to an adjusting shaft 19 with a screw 21. Column 9, lines 28-31 of Ichikawa discloses that the adjusting disk 20 can be moved forward, backward, to the left or to the right to rock the display unit 11 about horizontal pin 16 and horizontal shaft 18. There is no rotation of the disk 20 or the display 11 about a vertical axis in Ichikawa. A vertical axis as suggested by the Examiner would have to extend along the longitudinal axis of adjusting shaft 19, perpendicular to the axes of both shaft 18 and pin 16. However, no such axis or rotation is taught or suggested.

FIG. 32 of Ichikawa depicts a helmet 5 having left AL and right AR display locations on the wind shield 6 for viewing at left EL and right ER visual point positions. A pair of openings 74a and 74b are also found in the nose guard 74 of the helmet 5. FIG. 34 additionally depicts correcting optical systems, 737 and 738, reflecting mirrors 734, 735, and 736, a beam splitter 733 and a lens 732, which are associated with a display element 731. These components do not form first and second bases as claimed in the present invention since they are positioned within the case body 73a of display 73 as shown in FIG. 33.

Accordingly, Claims 1-20, as amended, are not anticipated by Ichikawa since Ichikawa does not teach or suggest "a display assembly mounted inside the headgear to the lower headgear portion", "the display assembly having a viewing display with direct viewing optics facing the user and positioned inward from the lower headgear portion for displaying information, the information being visible when said at least one of the user's eye looks downwardly at the viewing display, the display assembly being configured to be adjustable by the user while the headgear is worn by the user for changing the orientation of the viewing display and the direct viewing optics", as recited in base Claim 1, as amended, and similarly in Claim 11, as amended, or "a rotatable vertical axis for allowing the viewing display to be rotate about the vertical axis" as recited in Claim 6, as amended, and similarly in Claims 9, 16 and 19, as amended. Furthermore, Ichikawa does not teach or suggest "a rotatable member having at least a partial circular portion that has a snap fit into the circular recess of the base through the entrance slot, the rotatable member being rotatable within the circular recess about the vertical axis", as recited in Claims 7, 10, as amended, and similarly in Claims 17 and 20, as amended. As previously pointed out, the display unit 11 and disk 20 in Ichikawa are rotatable about two horizontal axes but no vertical axes. Finally, Ichikawa does not teach or suggest "a second base mounted to the face bar of the helmet for being below a second eye of the user to allow the user to select the position of at least one viewing display by snap fitting an associated rotatable member into the

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desired base" as recited in Claim 8, as amended, and similarly in Claim 18, as amended. Therefore, Claims 1-20, as amended, are in condition for allowance. Reconsideration is respectfully requested.

**CONCLUSION**

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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